

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0020311-10-0

Permittee: City of Mellen, PO Box 708, Mellen, WI, 54546

Facility Where Discharge Occurs: City of Mellen, 500 Christ Lutz Drive, Mellen, Wisconsin

Receiving Water And Location: The Bad River in Ashland County within the Upper Bad River Watershed in the Lake Superior Drainage Basin

Brief Facility Description and Summary of Proposed Changes: The City of Mellen wastewater treatment facility serves a population of approximately 731 with no significant industrial contributors. The annual average design flow is 205,000 gallons per day with actual flows averaging 193,000 gallons per day over the past five years (June 2014 – June 2019). Treatment consists of two aerated lagoons operated one after another (in series). Within these ponds naturally occurring bacteria and organisms already present in the wastewater break down the organic matter. The water is further treated in a third non-aerated pond until the wastewater can meet discharge standards. Prior to discharge to the Bad River the treated wastewater (called effluent) is disinfected seasonally (May through September) with a UV system.

It is the Department's intention to renew the permit for another term. The proposed new permit expiration date will be December 31, 2024. Appropriate discharge limitations, monitoring requirements, and reporting conditions will be included in the permit. Changes from the previous permit include: [1] The City applied for and received a CBOD5 variance per NR 210.5 (1)(d). The facility was successful in showing that BOD5 data was flawed as the result of being inflated by at least partial nitrification that occurs in the BOD5 test. Nitrification gives erroneously high results therefore falsely indicating noncompliance. [2] Using current acute and chronic ammonia toxicity criteria limitations were calculated for the facility. Daily Maximum limits are needed and will continue to be required. Weekly Average limits and Monthly Average limits were also considered. There isn't reasonable potential for those any of the limits to be exceeded. But regulatory changes to NR 205.065, Wis. Adm. Code requires limits in this permit to be expressed as weekly average and monthly average limits whenever practicable. In order to comply with this regulation, all calculated Weekly and Monthly Average limits have been included. [3] Sulfate monitoring shall continue this permit term. Monthly monitoring during the last permit term showed consistent results; the monitoring frequency has been reduced to quarterly. [4] Proposed Mercury Variance: The Department has determined that a water quality-based effluent limitation (WQBEL) of 1.3 ng/L for mercury is needed to protect wildlife and human health in the above-named receiving water. The permittee has submitted an application for an alternative mercury effluent limitation (AMEL). The application included a pollutant minimization program (PMP) plan for mercury as required under s. NR 106.145(8), Wis. Adm. Code. The Department concludes that the permittee is eligible for a variance based on the information submitted, information on file and the findings provided in s. NR 106.145(1), Wis. Adm. Code. The Department and the permittee have mutually agreed upon an AMEL of 6.5 ng/L, expressed as a daily maximum, continued influent and effluent monitoring, and permit language requiring implementation of the PMP. The Department proposes to grant the AMEL, which represents a variance to the water quality standard used to derive the WQBEL, as provided for under s. NR 106.145(6), Wis. Adm. Code. The designated use of the receiving water will not change as a result of the variance. This mercury variance must be approved by USEPA prior to its inclusion in the final reissued permit.

Permit Drafter's Name, Address, Phone and Email: Sheri A. Snowbank, DNR, 810 Maple Street, Spooner, WI, 54801, (715) 635-4131, sheri.snowbank@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Eric de Venecia, DNR, 1701 N 4th St, Superior, WI 54880, (715) 685-4155, Eric.DeVenecia@Wisconsin.gov

Hearing Date, Time, and Location: December 11, 2019; 10:00-11:00am at the DNR, 810 West Maple, Spooner, WI 54801

Hearing Officer, Name, Address, City/State/Zip, and Phone: Sheri Snowbank, DNR, 810 West Maple, Spooner, WI 54801, (715) 635-4131.

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced permit action for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to insure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above named permit drafter's office or the above named basin engineer's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 635-4131 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at:

<http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: Mellen Weekly Record

ADDRESS OF PUBLISHING NEWSPAPER: PO Box 678, Mellen, WI 54546-0678

Date Notice Issued: Wednesday, October 23, 2019